

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KENNETH FERENCE,)	
)	
Plaintiff,)	Civil Action No. 22-797
)	District Judge J. Nicholas Ranjan
v.)	Magistrate Judge Maureen P. Kelly
)	
ROMAN CATHOLIC DIOCESE)	
OF GREENSBURG,)	
)	
Defendant.)	

HEARING MEMO

HEARING HELD: Telephone Initial Case Management Conference
DATE HEARING HELD: June 27, 2023
BEFORE: Magistrate Judge Maureen P. Kelly

Appearing for Plaintiff:
Nicholas W. Kennedy, Esq.

Appearing for Defendant:
Bernard P. Matthews, Jr.
Alexander W. Brown, Esq.
Katherine Fitz-Patrick, Esq.
Philip J. Murren, Esq.

Hearing began at 1:30 p.m.

Hearing concluded at 2:12 p.m.

Stenographer: None

OUTCOME:

1. Reviewed background facts, claim and defenses. Additional information provided, including as to damages and decision-maker.
2. Addressed case management deadlines. Scheduling order will be issued.
3. The afternoon before the ICMC, Defendant filed Motion to Bifurcate or Limit Discovery, ECF No. 30. Court gave Plaintiff the opportunity to address during conference or file a response. Plaintiff's counsel indicated that he did not need to file a brief and stated his reasons for opposition to the motion. For reasons stated by the Court, an order will be issued denying the motion.
4. Discussed anticipated discovery. Both sides anticipate serving written discovery followed by limited number of depositions. Counsel anticipate production of ESI, at this point,

in the form of PDFs. Have not yet agreed to custodians or search terms. Court will enter proposed Rule 502d order that was filed by the parties. Court will consider joint proposed protective orders, if needed. Court reminded counsel of the obligation to meet and confer relative to any discovery issues.

5. As to ADR, Defendant stated that it does not intend to make any offer. Information provided as to coverage for claim. Defendant declined participation in any form of ADR, including the Court's suggestion of participation in ENE. Defendant to file motion to exempt case from ADR at this time on or before 6/30/23.

6. In light of tone and language observed at times to date, Court stated expectation of counsel addressing each other in a professional manner and expectation that all parties will be addressed in respectful manner with respectful tone and language.